

REMARKS

The above amendment with the following remarks is submitted to be fully responsive to the final Office Action of July 30, 2007. Claims 1-53 were pending in the present application prior to the above amendment. In the present amendment, claims 1-53 have been cancelled and new claims 54-94 have been added. Therefore, claims 54-94 are pending in the present application and are believed to be in proper condition for allowance. No new matter is introduced (see, e.g., original claims 1-53 and FIGs. 1-6 and paragraphs [0031], [0035], [0037], [0039-43], [0052], [0056], [0057], [0062], [0064-65], [0073], [0076-80], [0085], [0088], [0089-91], [0093], [0101-102], and [0104] of Applicant's published application). Reconsideration in view of the above amendments and following remarks is respectfully requested.

In response to the rejection of claims 1, 45-53, and 2-6, 8-11, and 43 under 35 U.S.C. § 112, first paragraph, claims 1-53 have been cancelled and new claims 54-94 have been added to correct the noted informalities. No new matter is introduced (see, e.g., original claims 1-53 and FIGs. 1-6 and paragraphs [0031], [0035], [0037], [0039-43], [0052], [0056], [0057], [0062], [0064-65], [0073], [0076-80], [0085], [0088], [0089-91], [0093], [0101-102], and [0104] of Applicant's published application). Accordingly, claims 54-94 are in compliance with 35 U.S.C. § 112 and no further rejection on such a basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to contact the undersigned attorney, who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory solution.

Claims 54-94 patentably distinguish over the applied references, US Patent No. 6,044,352 to Deavers, US Patent No. 6,108,641 to Kenna, et al., US Patent Application No. 20020065758 to Henley, and US Patent No. 4,858,121 to Barber et al., taken alone or in combination, as the applied references fail to disclose, teach or suggest all of the features recited in the claims. For example, independent claim 54 recites "a processing host device coupled over a communications network to a payment host system and configured to allocate financial resources of an online health account of the health care consumer and an account of the health care provider for electronically reimbursing the health care provider for the health care expenditure, wherein the online health account includes plural accounts of the health care consumer, the plural accounts selected from a bank account, a credit card account, a debit card account, a credit line, an insurance account, a health account provided by an

employer, and a health savings account.” Advantageously, the novel system allows for electronically reimbursing the health care provider with minimal effort from the health care provider or the health care consumer as compared to the methods and systems of the applied references, alone or in combination.

By contrast, the applied reference, taken alone or in combination, do not disclose, teach or suggest the noted features recited in independent claim 54 and claims dependent therefrom, nor the advantages thereof.

Accordingly, independent 54 and claims dependent therefrom are allowable over the applied reference, taken alone or in combination. The dependent claims are allowable over the applied reference, taken alone or in combination, on their own merits and for at least the reasons advanced above with respect to independent claims 54.

In view of the foregoing, it is submitted that the present application is in condition for allowance and a notice to that effect is respectfully requested. However, if the Examiner deems that any issue remains after considering this response, the Examiner is invited to contact the undersigned attorney to expedite the prosecution and engage in a joint effort to work out a mutually satisfactory solution.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-2478 and please credit any excess fees to such deposit account.

Respectfully submitted,

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January 30, 2008